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NO. 92-1431

IN THE
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1992

EDWARD MATHEWS, BEARL MATHEWS, NEHEMIA MATHEWS, NATHAN MATHEWS AND JAMES MATHEWS
Petitioners

VS.

HARRIS METHODIST, FORT WORTH, A NON-PROFIT CORPORATION; TARRANT-PARKER COUNTY MEDICAL EXAMINERS DISTRICT; AND LIONS ORGAN AND EYE BANK, DISTRICT 2E2, INC., A TEXAS CORPORATION
Respondents

PETITIONERS' REPLY BRIEF TO BRIEF IN OPPOSITION OF RESPONDENT, HARRIS METHODIST, FORT WORTH

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AMENDED STATEMENT OF JURISDICTION

Petitioners erroneously referred to 28 U.S.C. §1254(1) as the basis for jurisdiction in this case. Petitioners agree with attorney for Respondent, Harris Methodist, that the correct jurisdictional basis for review by this Court is 28 U.S.C. §1257.

REPLY ARGUMENT

Petitioners agree that the correct jurisdictional basis for review by this Court is 28 U.S.C. §1257, since this is a review of a state court matter. However, Petitioners do believe review of the action of the Texas Supreme Court is proper, since the Texas Supreme Court is the highest court in the State of Texas that could have heard this case.

Petitioners do seek a review of the opinion of the Court of Appeals for the Second Court of Appeals District of Texas, since that court's opinion is the only written opinion in the case. However, Petitioners believe the decision of the Texas Supreme Court refusing to review the opinion of the Court of Appeals is reviewable by this Court, since the Texas Supreme Court is the highest court in the State of Texas that

could have heard the matter. Without the action of the Texas Supreme Court in refusing to hear the matter, there would be no jurisdictional basis for this Court's review.

CONCLUSION

For the reasons stated, Petitioners request this Court to grant certiorari upon the basis of the jurisdiction conferred by 28 U.S.C. §1257, to review the action of the Texas Supreme Court in refusing to hear this case and to further review the decision of the Texas Court of Appeals for the Second Court of Appeals District of Texas.

Respectfully submitted,

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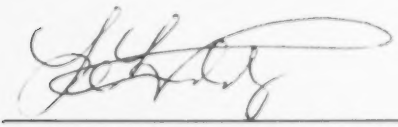

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